

Notice of Allowability

Application No.

09/939,413

Examiner

Tina M Lin

Applicant(s)

CHIU ET AL.

Art Unit

2874

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 20 October 2003.
2. ☒ The allowed claim(s) is/are 9, 13-23, 54, 55, 59-70 and 81-96.
3. ☒ The drawings filed on 20 October 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: ____.
5. ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(a) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
6. ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**
7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No. ____.
- b) ☐ including changes required by the proposed drawing correction filed ____, which has been approved by the Examiner.
- c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. ____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- 1 ☐ Notice of References Cited (PTO-892)
- 2 ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3 ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No. EIDS (4)
- 4 ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- 5 ☐ Notice of Informal Patent Application (PTO-152)
- 6 ☐ Interview Summary (PTO-413), Paper No. ____.
- 7 ☐ Examiner's Amendment/Comment
- 8 ☒ Examiner's Statement of Reasons for Allowance
- 9 ☐ Other

This Office action is responsive to applicant's communication filed on 20 October 2003. The Examiner notes corrections of the minor informalities and drawings submitted with amendment filed on 20 October 2003.

Examiner's Statement Of Reasons For Allowance

Applicant's amendment filed on 20 October 2003 have been fully considered. Claims 9, 13-23, 54-55, 59-70 and 81-96 are therefore allowed with the additional limitations included as indicated in the previous Office action.

The following is an examiner's statement of reasons for allowance: As indicated by the reasons stated on the previous Office action, paper no. 12, mailed 19 June 2003, and restated below, Claims 9, 13-23, 54-55, 59-70 and 81-96 are allowed

ADD
Claims 9, 13-23 and 54-55 ^{were previously} ~~are~~ objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The prior art of record fails to disclose or reasonably suggest a pull actuator with a pivot arm engaged to a shaft for pivotally disengaging a fiber optic module from a cage assembly.

Claims 59-70 are allowed. The prior art of record fails to disclose or reasonably suggest a pull actuator with a pivot arm engaged to a shaft for pivotally disengaging a fiber optic module from a cage assembly. The closest prior art of record, U.S. Patent 5,901,263 to Gaio et al. discloses a fiber optical receptacle with fiber optic plugs, a pull actuator and a printed circuit board, but fails to disclose a pivot arm actuator coupled to a pull actuator for releasing an optical module pivotally from a cage assembly.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

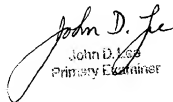
The documents submitted by applicant in the Information Disclosure Statement have been considered and made of record. Note attached copy of form PTO-1449. None of the documents submitted by Applicant disclose or reasonably suggest the allowable subject matter discussed above.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tina M Lin whose telephone number is (703) 305-1959. The examiner can normally be reached on Monday-Friday 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney Bovernick can be reached on (703) 308-4819. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

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John D. Lee
Primary Examiner